REMARKS

The following remarks are in response to the Official Office Action entered in the above identified patent application and mailed on October 8, 2002.

Claims 7-18 stand rejected under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the independent claims in order to more clearly state what Applicant considers to be his invention. Accordingly, Applicant submits that all of the claims now meet the requirements of §112. Claims 7, 8, 12 and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Patent No. 5,515,074 to Yamamoto in view of U.S. Patent No. 6,360,177 to Curt et al. Claims 9-11 and 14-18 are rejected under 35 U.S.C. §103(a) over Yamamoto in view of Curt et al. and Trundle TV and Video Technology, pages 117-121. With regard to these rejections Applicant respectfully traverses.

Turning first to the rejection of claims 7, 8, 12 and 13 under 35 U.S.C. §103(a) as being unpatentable over Yamamoto in view of Curt, the rejected claims are not obvious over the cited references for at least two reasons. First, there is no teaching or suggestion within the references themselves or within the general knowledge of those skilled in the art that would have led a skilled artisan to combine the references in the manner suggested by the Examiner. In fact, the subject matter disclosed in the two references is completely unrelated. And the features disclosed by Curt et al. which the Examiner suggest combining with Yamamoto's disclosure have absolutely nothing to do with controlling the density of a display device, which is the subject matter disclosed by Yamamoto.

Yamamoto, while not disclosing all of the claimed features of the present invention, is at least related. Yamamoto, discloses a density control device and method for use with a display

device. The method and control device allow for the adjustment of an operating parameter which may be subject to change over time, namely the density data for the display screen (Col. 3, line 2). The device includes a temperature sensor which allows the device to change the density parameter in response to variations in the ambient operating temperature. The device stores a density value in a memory when the device is turned off.

As the Examiner admits, Yamamoto fails to teach a parameter's average value of the value interval. For this the Examiner relies on the teaching Curt et al. Curt et al. teach a voltage scanning, measurement storage and reporting device. According to the abstract, a portable unit has circuitry for monitoring the voltage and current waveform provided from an electrical wall outlet. A microprocessor processes the waveform and other analytical quantities related to the waveform. The unit includes a storage area for storing samples of the waveform as well as a log of related analytical quantities for collection and analysis.

The Examiner points to Col. 2 lines 21-26 and Col. 15 line 28 to Col. 17 line 64, as teaching "a parameter's average value of the value interval" Col. 2 lines 21-26 states in full:

> "...the invention preferable includes a microprocessor for analyzing the monitored waveform. The microprocessor recognizes specific voltage occurrences based upon parameters which can be varied by the user.
>
> The invention also has a storage memory for storing samples of the input waveform."

The section from Col. 15 line 28, Col. 17 line 64 is too lengthy to quote in full, but may be summarized as describing techniques for analyzing the voltage/current waveform being monitored from the wall outlet. Curt et al. discuss normal and abnormal voltage, one second averages, and the like. However, these measured parameters all relate to a waveform that is being monitored, not to a waveform that is being controlled. Curt et al. teach nothing regarding the ability to adjust an operating parameter of a device to account for changes in environmental

temperatures, let alone adjusting the density of a display device as disclosed by Yamamoto. Curt et al's disclosure has absolutely no relevance to the device and method disclosed by Yamamoto, nor to the present invention for that matter, other than it includes a device having a storage area and contains some of the same words that happen to be used in Applicant's claim. Other than that, one of ordinary skill in the art would find no teaching or suggestion for combining Curt et al. with Yamamoto to arrive at Applicant's invention. Combining the references as suggested by the Examiner amounts to impermissible hindsight, using the Applicants claim as a template a selecting prior art piecemeal to pick and choose elements from unrelated references to reject the Applicant's claims. Since there is no teaching or suggestion for combining the references the rejection under 35 U.S.C. §103(a) is improper and should be withdrawn.

Furthermore, even if one of ordinary skill in the art would have been motivated to combine the voltage scanning, measurement Storage and Reporting Device of Curt et al. with the Density Control Method and Device in Display Device of Yamamoto, the resulting combination nonetheless fails to teach or suggest every element of the claimed invention.

Independent claim 7 calls for, among other things, means for storing an average value of a parameter value adjustment interval in a memory. The average value and width of the parameter value adjustment interval define a range of possible parameter adjustment values. Further, the average value of the parameter value adjustment interval may be overwritten by a momentary value of the parameter so that a renewed read out of the stored average value (now reflecting the stored average parameter adjustment value) defines the position of the parameter value adjustment interval. This allows the position of the parameter value interval to be adjusted according to the value of the momentary parameter value. The parameter itself may be adjusted to take on any value within the parameter value interval which is centered on the stored

momentary value. Thus, the parameter can only be adjusted a limited amount dictated by the size and position of the parameter value interval.

Independent claim 13 includes steps for performing similar functions. Due to the similarities of the features of both independent claims Applicant will distinguish both claims over the prior art in but a single argument, bearing in mind all the while that both claims are independently patentable and cover differing subject matter.

Even when the teaching of Yamamoto and Curt et al. are combined, they do not teach or suggest a means for or a step of storing an average value of a parameter value adjustment interval wherein the average value of the interval and the interval width define the range of possible adjustment values for the parameter, and wherein after, a renewed readout of the stored average value of the adjustment interval, the momentary value (i.e., the newly stored value written over the previous value) defines a position of the parameter value adjustment interval.

As the Examiner readily admits, Yamamoto fails to teach a parameter's average value of the interval. Applicant, goes further and submits that Yamamoto does not teach a parameter value adjustment interval. As described at the top of column 3, Yamamoto teaches recording the last value of the density parameter when the device is shut down. When the device is turned back on the stored density setting from the previous session is used as the initial value unless the temperature sensor reading is outside a predefined range. If the temperature sensor is outside the predefined range then a density value corresponding to the measured temperature is used. (See, e.g., Col. 4 line 57-Col. 4 line 60, particularly Col. 4 lines 46-60.) Whichever density value is loaded, Yamamoto does not teach a limited range of adjustment centered around the chosen loaded density value.

Furthermore, as has already been discussed, Curt et al. relates entirely to monitoring an electrical waveform input from a wall outlet. Curt et al. teach nothing regarding adjustment of operating parameters whatsoever. Although the words "parameter" and "average" are sprinkled throughout Curt et al's disclosure, the context is so far removed from the present invention as to be irrelevant. Neither alone nor in combination do Yamamoto and Curt et al. disclose the above described features of the invention as claimed in claim 7 and 13. Accordingly the rejection of claims 7, 8, 12, and 13 under 35 U.S.C. §103(a) is improper and should be withdrawn.

Claims 9-11 and 14-18 are all allowable on similar grounds. Claims 9-11 depend from claim 7 and claims 14-18 depend from claim 13. The Examiner combines the teaching of Trundle to that of Yamamoto and Curt et al. to reject these claims. However, as described above Yamamoto and Curt et al. do not teach all the elements of the base claims. Therefore, regardless of whether Trundle teaches the features set forth in the dependent claims, the combination still fails to disclose all elements of the base claims. Thus, claims 9-11 and 14-18 are also in condition for allowance.

In light of the preceding remarks, Applicants respectfully submit that the claims are all in condition for allowance. Applicants therefore request that the Examiner allow the claims and move the application to issue.

If any additional fees are required in connection with this response they may be charged to deposit account no. 02-1818.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "**Version with Markings to Show Changes Made**."

Respectfully submitted,

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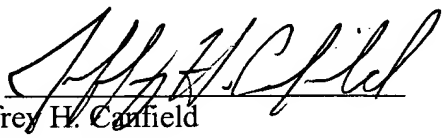
BY 

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

7. (Twice Amended) An apparatus having a readjustment mechanism for readjusting at least one operating parameter of the apparatus, the apparatus comprising:

a memory;

means for storing an average value of a parameter value adjustment interval in the memory, the parameter value adjustment interval having an interval width the average value and the interval width defining a range of possible adjustment values for said parameter; and

means for overwriting the stored average value of the parameter value adjustment interval with a momentary value of the operating parameter wherein, following a renewed readout of the stored average value of the parameter value adjustment interval, the momentary value of the operating parameter defines a position of the parameter value adjustment interval.

8. (Twice Amended) An apparatus having a readjustment mechanism for readjusting at least one operating parameter as claimed in claim 7, wherein a factory set average value for the parameter value adjustment interval is additionally stored and wherein the factory set average value of the parameter value adjustment interval can be written over the momentary value of the operating parameter such that, following a renewed readout of the stored average value of the value interval, the factory set average value defines the position of the parameter valued adjustment interval.

13. (Twice Amended) A method for readjusting at least one operating parameter of an apparatus, the method comprising the steps of:

storing an average value of a parameter value adjustment interval in a memory of the apparatus, the adjustment interval defining a range of potential adjustment values for said parameter;

overwriting the stored average value of the parameter value adjustment interval with a momentary value of the operating parameter; and

defining a position of the parameter value adjustment interval by the momentary value of the operating parameter following a renewed readout of the stored average value of the operating parameter.